

Message Text

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PAGE 01 STATE 058623
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

DRAFTED BY NEA/EGY:GRBEYER:CEK
APPROVED BY NEA - MR ATHERTON
INR - MR SAUNDERS
L/NEA - MR SMALL
L - MR ALDRICH

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-----162156Z 068080 /56

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FM SECSTATE WASHDC
TO AMEMBASSY CAIRO IMMEDIATE
AMCONSUL JERUSALEM IMMEDIATE
INFO AMEMBASSY TEL AVIV IMMEDIATE
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C O N F I D E N T I A L STATE 058623
E X D I S
E.O. 11652: GDS

TAGS: ENRG, PFOR, EG, US, IS

SUBJECT: EGYPTIAN OIL CONCESSIONS IN SINAI BUFFER ZONE

REF: (A) CAIRO 3821; (B) CAIRO 3186; (C) JERUSALEM 281

1. LEGAL ADVISOR'S OFFICE HAS HAD THIS MATTER UNDER CON-
SIDERATION SINCE EMBASSY CAIRO FIRST ALERTED US OF PROBLEM
(76 CAIRO 14267 NOTAL). IN L'S OPINION, UNEF SEEMINGLY
HAS DISCRETION TO EITHER APPROVE OR DISAPPROVE ACCESS TO
EGYPTIAN AREA LIMITED FORCES AND TO BUFFER ZONE IN SINAI IN
ORDER TO FACILITATE EGYPTIAN SPONSORED COMMERCIAL ACTIVITIES.
WHILE THIS ARGUMENT APPEARS ON ITS FACE TO BE SUPPORTED BY
THE SINAI II AGREEMENT, IT IS QUESTIONABLE THAT THIS IS
CONSISTENT WITH THE INTENT OF BOTH PARTIES.

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2. FROM NEGOTIATING HISTORY OF THIS ISSUE, IT IS APPARENT
THAT AS A PRACTICAL MATTER UNEF MAY HAVE TO COPE WITH AN
ISRAELI VIEW THAT, SINCE THE REGIME IN THE BUFFER ZONE IN-
CLUDING UNEF'S ROLE IS ESTABLISHED BY AGREEMENT BETWEEN
EGYPT AND ISRAEL, ISRAEL SHOULD HAVE A SAY IN INTRODUCING
ACTIVITIES BEYOND THOSE ENVISIONED IN THE AGREEMENT. THEY

MAY EVEN ARGUE THAT INTRODUCTION OF EXTENSIVE ECONOMIC ACTIVITY INTO ZONE WOULD ERODE ITS NATURE AS A BUFFER AND THAT AGREEMENT CANNOT BE READ AS CONVEYING ON UNEF

AUTHORITY OVER ACTIVITIES NOT ENVISIONED WHEN AGREEMENT NEGOTIATED.

3. THEREFORE, WE DO NOT WISH TO TAKE THE INITIATIVE AT THIS TIME IN RAISING THIS ISSUE WITH CONCERNED UN OFFICIALS. THOUGH WE HAVE DISCUSSED SUBJECT IN GENERAL TERMS IN PAST WITH SEC GEN WALDHEIM, INDICATING THAT IN OUR VIEW UNEF APPEARED TO BE EMPOWERED BY SINAI II AGREEMENT TO MAKE DECISION ON WHO COULD OR COULD NOT ENTER BUFFER ZONE AND UNDER WHAT CONDITIONS, WE DID NOT IDENTIFY THAT OPINION AS THE LEGAL POSITION OF U.S. IF PRESSED BY UNEF COMMANDER SIILASVUO OR OTHER UN OFFICIAL FOR US LEGAL INTERPRETATION OF SITUATION, WE ARE PREPARED TO CONSIDER MAKING OUR VIEW OF LEGAL SITUATION KNOWN TO UN. WE PREFER PRACTICAL SOLUTION THIS PROBLEM, HOWEVER, RATHER THAN STRICTLY LEGAL APPROACH.

4. FOR JERUSALEM: AS DISCUSSED ABOVE, WE DO NOT RPT NOT DESIRE YOU TO INITIATE DISCUSSION THIS MATTER NOW WITH SIILASVUO.

5. FOR CAIRO: WE BELIEVE AMBASSADOR'S HANDLING THIS ISSUE WITH SIILASVUO MARCH 4 WAS RIGHT ON THE MARK (REFTEL A).

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6. IF OFFICIAL OF CONOCO OR OTHER AMERICAN OIL COMPANY RAISES THIS SUBJECT WITH AMBASSADOR EILTS OR OTHER AMERICAN OFFICIALS, YOU MAY SAY THAT WHILE LEGALLY WE BELIEVE UNEF EMPOWERED TO DECIDE ACCESS QUESTION, IT WOULD BE ADVISABLE FOR SIILASVUO TO CONSULT ALL PARTIES BEFORE MAKING DECISION. BECAUSE OF EGYPTIAN VIEWS, IT WOULD BE PREFERABLE IF MATTER NOT RPT NOT PUT FORWARD FOR JOINT COMMISSION CONSIDERATION. ANY APPROACH ON THIS ISSUE MUST BE HANDLED VERY CAREFULLY. THIS IS NOT STRICTLY A LEGAL PROBLEM. FURTHER, CAUTION OUTLINED PARA THREE REFTEL B SHOULD BE REPEATED, I.E., AMERICAN COMPANIES SHOULD NOT ALLOW THEMSELVES TO BE PUSHED OUT FRONT BY EGYPTIANS TO FIGHT EGYPT'S BATTLE. IT IS GOE RESPONSIBILITY TO OBTAIN UNEF APPROVAL FOR COMPANY TO ENTER ZONE AND UNDERTAKE EXPLORATION.
VANCE

NOTE BY OC/T: EXDIS CAPTION ADDED PER SSO, MR. PFOTENHAUER.

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Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
Copy: SINGLE
Sent Date: 16-Mar-1977 12:00:00 am
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Format: TEL
From: STATE
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ISecure: 1
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